

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re:

Biora Therapeutics, Inc.,¹

Debtor.

Chapter 11

Case No. 24-12849 (BLS)

**NOTICE OF APPEARANCE AND REQUEST
FOR SERVICE OF NOTICES AND PAPERS**

PLEASE TAKE NOTICE that the attorneys listed below enter their appearances as counsel to the funds managed by Athyrium Capital Management (“**Athyrium**”), pursuant to sections 342 and 1109(b) of title 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (the “**Bankruptcy Code**”), and Rules 2002, 3017, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”), and request that all notices given or required to be given in these chapter 11 cases (collectively, the “**Chapter 11 Cases**”), and all papers served or required to be served in the Chapter 11 Cases, be given and served upon:

Matthew Warren, Esq.
Lindsey Henrikson, Esq.
PAUL HASTINGS LLP
71 S. Wacker Drive, 45th Floor
Chicago, IL 60606
Telephone: (312) 499-6000
Facsimile: (312) 499-6100
Email: mattwarren@paulhastings.com
lindseyhenrikson@paulhastings.com

¹ The last four digits of Biora Therapeutics, Inc.’s federal tax identification number are 0390. Biora Therapeutics, Inc.’s service address is 10070 Carroll Canyon Road, Suite 100, San Diego, CA 92131.

PLEASE TAKE FURTHER NOTICE that the foregoing demand is not only for the notices and papers referred to in the sections of the Bankruptcy Code and the Bankruptcy Rules specified above, but also includes, without limitation, any and all orders and notices of any application, motion, petition, complaint, demand, request or other pleading in the Chapter 11 Cases, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, delivery, telephone, electronically or otherwise filed with or delivered to the Bankruptcy Clerk, Court or Judge (as those terms are defined in Bankruptcy Rule 9001), which affects the Debtors, or property of the Debtors, or Athyrium.

PLEASE TAKE FURTHER NOTICE that neither this Notice of Appearance, nor any later appearances, pleadings, proofs of claim, claims or suits filed in the Chapter 11 Cases, shall be deemed or construed as a waiver of: (i) any rights of Athyrium to (a) have final orders in any non-core matters entered only after de novo review by a District Judge, (b) trial by jury in any proceeding so triable in the Chapter 11 Cases or any case, controversy, or proceeding related to the Chapter 11 Cases, or (c) have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; or (ii) any other rights (including setoff and recoupment), claims, actions, and defenses of New Mountain either in law or in equity, under any agreements or otherwise, all of which rights, claims, actions, and defenses are expressly reserved.

Dated: February 24, 2025
Chicago, Illinois

PAUL HASTINGS LLP

/s/ Matthew Warren

Matthew Warren, Esq.
Lindsey Henrikson, Esq.
71 S. Wacker Drive, 45th Floor
Chicago, IL 60606
Telephone: (312) 499-6000
Email: mattwarren@paulhastings.com
lindseyhenrikson@paulhastings.com

Counsel to The Funds Managed by Athyrium Capital Management